

**Notice of Allowability**

Application No.

09/785,022

Examiner

Syed J. Ali

Applicant(s)

HAHN, STEPHEN C.

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment dated December 14, 2005.
2. ☒ The allowed claim(s) is/are 1-7,9-12,20-28,32 and 34-38, renumbered as claims 1-26.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                       |
| 2. <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                     | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance                         |
|   | 9. <input type="checkbox"/> Other _____.  |

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Alan S. Hodes (Reg. No. 38,185) on February 28, 2006.

3. **The application has been amended as follows:**

-- In the claims --

(i) **Replace claim 1 as follows:**

A method of dynamically checking a set of one or more resource controls associated with resource consumption of newly added software to an operating system, the method comprising:

while the operating system is executing, integrating resource controls associated with the newly added operating system software into a set of one or more resource controls already associated with the operating system before addition of the newly added operating system software, wherein integrating the resource controls associated with the added operating system software includes registering the resource controls associated with the newly added operating software with the operating system, wherein each of one

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or more resource controls in the integrated set of one or more resource controls identifies one or more resources, each of the set of resource controls having one or more limiting values associated therewith;

in response to a request for one of the resources by an operating system entity, determining whether usage of one of the one or more resources by the operating system entity exceeds one of the limiting values in the integrated set of one or more resource controls, corresponding to the requested one of the resources; and

granting the requested one of the resources to the operating system entity if the limiting value has not been exceeded.

(ii) **Cancel claim 8.**

(iii) **Replace claim 10 as follows:**

A system for dynamically checking a set of one or more resource controls associated with resource consumption of newly added software to an operating system, the system comprising:

means for, while the operating system is executing, integrating resource controls associated with the newly added operating system software into a set of one or more resource controls already associated with the operating system before addition of the newly added operating system software, wherein integrating the resource controls associated with the added operating system software includes registering the resource

controls associated with the newly added operating software with the operating system, wherein each of one or more resource controls in the integrated set of one or more resource controls identifies one or more resources, each of the set of resource controls having one or more limiting values associated therewith;

means for, in response to a request for one of the resources by an operating system entity, determining whether usage of one of the one or more resources by the operating system entity exceeds one of the limiting values in the integrated set of one or more resource controls, corresponding to the requested one of the resources; and

means for granting the requested one of the resources to the operating system entity if the limiting value has not been exceeded.

**(iv) Replace claim 11 as follows:**

A computer-readable medium containing programmed instructions arranged to dynamically check a set of one or more resource controls associated with resource consumption of newly added software to an operating system, the computer-readable medium including programmed instructions for:

while the operating system is executing, integrating resource controls associated with the newly added operating system software into a set of one or more resource controls already associated with the operating system before addition of the newly added operating system software, wherein integrating the resource controls associated with the added operating system software includes registering the resource controls associated

with the newly added operating software with the operating system, wherein each of one or more resource controls in the integrated set of one or more resource controls identifies one or more resources, each of the set of resource controls having one or more limiting values associated therewith;

in response to a request for one of the resources by an operating system entity, determining whether usage of one of the one or more resources by the operating system entity exceeds one of the limiting values in the integrated set of one or more resource controls corresponding to the requested one of the resources; and

granting the requested one of the resources to the operating system entity if the limiting value has not been exceeded.

(v) **Replace claim 12 as follows:**

A system for dynamically checking a set of one or more resource controls associated with resource consumption of newly added software to an operating system comprising:

one or more processors; and

a computer readable medium storing a program for execution by the one or more processors comprising:

computer code that, while the operating system is executing, integrates resource controls associated with the newly added operating system software into a set of one or more resource controls already associated with the operating system before addition of the newly added operating system software, wherein integrating the resource controls

associated with the added operating system software includes registering the resource controls associated with the newly added operating software with the operating system, wherein each of one or more resource controls in the integrated set of one or more resource controls identifies one or more resources, each of the set of resource controls having one or more limiting values associated therewith;

computer code that, in response to a request for one of the resources by an operating system entity, determines whether usage of one of the one or more resources by the operating system entity exceeds one of the limiting values in the integrated set of one or more resource controls corresponding to the requested one of the resources; and

computer code that grants the requested one of the resources to the operating system entity if the limiting value has not been exceeded.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Syed J. Ali whose telephone number is (571) 272-3769. The examiner can normally be reached on Mon-Fri 8-5:30, 2nd Friday off.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai T. An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Syed Ali  
February 28, 2006

  
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